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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,105	07/15/2003	Jinchao Yang	02-5910	8609

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EXAMINER

PEUGH, BRIAN R

ART UNIT	PAPER NUMBER
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2187

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/620,105

Applicant(s)

YANG, JINCHAO

Examiner

Brian R. Peugh

Art Unit

2187

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-15 and 23-25 is/are rejected.
- 7) ☒ Claim(s) 1-10 and 16-22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

Figures 5-7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claims 1-22 are objected to because of the following informalities:

Claim 1, line 6: Replace "a" with --the-- in order to facilitate proper antecedent basis with lines 1 & 2.

Claim 11, line 5: Replace "on" with --one of--.

Claim 23, line 6: Replace the second instance of "a" with --the--.

Claim 23, lines 5-7: The language is awkward and the Applicant is encouraged to clarify the intent of the claim limitation.

Claims 2-10, 12-20, 24, and 25 are objected to as being dependent upon a previously objected claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11-15 and 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Applicant's Admitted Prior Art (AAPA) [US# 20050015412].

Regarding claim 11, AAPA teaches a system, comprising: a redundant array of independent disks (RAID) controller **[para 0002, lines 2-4]** having a flash memory **[para 0003, line 10]**; and a host **[para 0003, line 1]** having two or more disk drives **[para 0002, line 3]**, the host being coupled to the RAID controller, wherein a selected on the two or more disk drives is capable of transferring a data file to the RAID controller by attaching a multibyte signature to the end of the data tile before transfer **[transfer protocol patches data to a data file to be transferred [para. 0003].**

Regarding claim 12, AAPA teaches wherein the signature is attached through the operation of a utility program [para 0006].

Regarding claim 13, AAPA teaches, wherein the RAID controller contains software that recognizes the multibyte signature attached to the end of the data file before transfer **[para 0007; file padding (signature) is recognized while in buffer before writing to flash chip]**.

Regarding claim 14, AAPA teaches wherein the data file contains multiple data words, each of the multiple data words having multiple bytes **[para 0004; correlation of file size with N bytes and M data words]**.

Regarding claim 15, AAPA teaches the signature (padding) forms a portion of one or two data words **[para 0004 & 0005; within the M transfers or data words, the padding will be a portion of at least one data word]**.

Regarding claim 23, AAPA teaches a system for reliably transferring data files, comprising: first and second means for storing data **[local drive to array of disks; para. 0002]**; and means for controlling data file transfer to and from the first and/or second means for storing **[RAID controller; para. 0003]**, wherein a data file the data file transfer from one of the first and second means for storing data to the controlling

means includes adding a multibyte signature **[transfer protocol patches data to a data file to be transferred [para. 0003].**

Regarding claim 24, AAPA teaches wherein the first and second means for storing data are disk drives **[para. 0002 & 0003].**

Regarding claim 25, AAPA teaches the multibyte signature is either eight or four bytes long **[Para. 0004 indicates that for a file size N, where N is not divisible by 128, data is padded at the end of the file, such that a signature (padding) of eight or four bytes are just two possible sizes of the signature].**

### ***Allowable Subject Matter***

Claims 1-10 appear to contain allowable subject matter, and would be allowed if amended in accordance with the suggestion noted above.

Claims 16-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art corresponds to related RAID systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian R. Peugh whose telephone number is (571) 272-4199. The examiner can normally be reached on Monday-Thursday from 7:00am to 4:30pm. The examiner can also be reached on alternate Friday's from 7:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks, can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Brian R. Peugh  
Primary Examiner  
Art Unit 2187  
November 25, 2005